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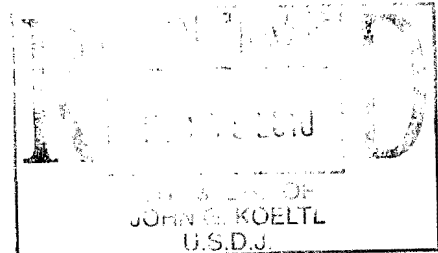
Hon. John G. Koeltl

United States District Judge

Daniel Patrick Moynihan United States Courthouse

500 Pearl Street, Room 1030

New York, New York 10007



Re: Intellivision et al. v. Microsoft Corp.

Civil Action No. 07-CV-4079(JGK)(MHD)

Dear Judge Koeltl:

I am counsel for plaintiffs in the above-captioned action. I am writing in request a one day extension, out of time, of yesterday's deadline to file a letter brief addressing the issues raised during the December 8, 2010 oral argument. Since I already delivered a copy to the Your Honor by facsimile and to my adversary by email, I did not await my adversary's consent to do so.

The reason for the request is a misunderstanding as to the deadline for filing the letter brief. During the December 8, 2010 oral argument, Your Honor initially instructed the parties that the letter brief would be due yesterday. However, Your Honor subsequently instructed the parties that the letter brief would be due today. It was not until I reviewed the transcript of the oral argument that I noticed that a scheduling order had been issued after the oral argument setting forth yesterday as the deadline for filing of the letter briefs.

In view of the foregoing, I respectfully but belatedly request that the deadline be extended until today and that plaintiffs' letter brief be deemed accepted.

Respectfully submitted,

Bruce D. Katz

BDK/mm

cc: Steven L. Holley, Esq. (by email)

APPLICATION GRANTED  
SO ORDERED

John G. Koeltl, U.S.D.J.

12/15/10